

O R D I N A N C E

AN ORDINANCE AMENDING SECTION 15.17, CODE OF SEMINOLE COUNTY, DEALING WITH HOURS OF SALE OF ALCOHOLIC BEVERAGES AND CLOSING OF ESTABLISHMENTS LICENSED TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON PREMISES; PROHIBITING THE SALE, BARTER, EXCHANGE OR DISTRIBUTION OF ALCOHOLIC BEVERAGES AFTER 2:00 AM; PROHIBITING CONSUMPTION AND POSSESSION OF ALCOHOLIC BEVERAGES WITHIN ESTABLISHMENTS LICENSED TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON PREMISES AFTER 2:30 AM; PROVIDING A RULE OF CONSTRUCTION REGARDING ESTABLISHMENTS LICENSED TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON PREMISES INCIDENT TO FOOD SERVICE; PROVIDING CLOSING PROCEDURES FOR ESTABLISHMENTS LICENSED TO SELL ALCOHOLIC BEVERAGES FOR CONSUMPTION ON PREMISES WITHOUT REFERENCE TO FOOD SERVICE; REQUIRING OUTSIDE LIGHTS TO BE TURNED OFF AND DOORS LOCKED AT 2:00 AM; ALLOWING CUSTOMERS TO REMAIN UNTIL 2:30 AM TO FINISH LAST DRINK; REQUIRING REMOVAL OF ALL DRINKS AND FOR CUSTOMERS TO LEAVE AT 2:30 AM; PROVIDING A DEFINITION OF A SINGLE DRINK; PENALTIES FOR VIOLATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Economic Impact Statement has been appropriately prepared and made available for public review in accordance with the provisions of the Seminole County Home Rule Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Section 15.17, Code of Seminole County, is amended to read as follows:

Sec. 15.17 Hours for sale of alcoholic beverages and closing of establishments selling alcoholic beverages for consumption on premises.

(A) Prohibition on sale, barter, exchange, distribution, consumption and possession of alcoholic beverages. It shall be unlawful for any person to sell, barter, exchange or, ~~in any manner, deal in~~ distribute alcoholic beverages in any place between the hours of 2:00 a.m. and 7:00 a.m. of the same day. It shall be unlawful for any person to consume or possess any alcoholic beverage within any establishment licensed to sell alcoholic beverages for consumption on premises between the hours of 2:30 a.m. and 7:00 a.m. of the same day.

(B) Establishments licensed to sell alcoholic beverages for consumption on premises incidental to food service.

Nothing in this section 15.17 shall be construed to prohibit any establishment licensed to sell alcoholic beverages incidental to food service from remaining open for business other than the sale of alcoholic beverages after 2:30 a.m.

(C) Closing hours and procedures for establishments holding a license to sell alcoholic beverages for consumption on premises without reference to food service.

(1) At not later than 2:00 a.m. of each day, the owner(s), personally or through employees, shall:

(a) extinguish all exterior lighting, except in parking areas, including signage providing advertising or the name of the business, in order to indicate that said establishment is closed for business; and

(b) close and lock all public access doors within said establishment to prevent and prohibit further entry by customers and members of the public.

(2) At no later than 2:30 a.m. of each day, the owner(s), personally or through employees, shall:

(a) remove and/or cause to be surrendered all drinks of alcoholic beverages from tables and bars; and

(b) require all customers to leave the establishment.

(3) Customers who are within establishments prior to 2:00 a.m. who have prior thereto purchased or have been served with a **single** drink of alcoholic beverage and have not completed the consumption thereof prior to 2:00 a.m. shall be permitted to remain until not later than 2:30 a.m. for the purposes of consumption of the single drink of alcoholic beverage. For purposes of this section a single drink is defined as not more than twelve (12) ounces of beer, not more than six (6) ounces of wine or not more than one and one half (1 ½) ounces of liquor plus mixer, if any.

(D) **Penalties.** In accordance with Section 125.69, F.S. (2003) or any successor statute regarding the same subject matter, violations of this section are punishable by up to sixty (60) days in jail and/or a fine not to exceed \$500.00.

**Section 2. Codification**

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become, and be made a part of the Seminole County Code. The word "Ordinance" may be changed to section, article, or other appropriate word or phrase and the sections of this Ordinance may be assigned new numbering or lettering to accomplish such intention; providing, however, that Sections 2, 3, and 4 shall not be codified.

**Section 3. Severability**

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

**Section 4. Effective Date**

This Ordinance shall become effective upon receipt of official acknowledgment by the Clerk of the Board of County Commissioners from the Department of the State that this Ordinance has been filed with the Department of State.

**ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

BOARD OF COUNTY COMMISSIONERS  
OF SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
DARYL G. MCLAIN, Chairman